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## ***A Capital Scheme<sup>1</sup>***

The lawyer has no E Z life,  
And if he would X L,  
He must have every A D can  
R E cannot do well.

Every D D does is watched,  
And every K C tries;  
He can't succeed with M T shelves  
B E so very wise.

He will become a C D man,  
And oft be called A J,

Unless he gets what L P can  
Obtain in N E way.

U C he must be up to date,  
Or L C cannot try  
To C K place among the few  
Who R A counted high.

Now if this N D has in view,  
And such he would S A,  
Rather than buy X S of books,  
Let him have L.R.A.

### ***Translation of Capitals used:***

line 1, easy	line 6, case he	line 11, help he	line 16, are accounted
line 2, excel	line 7, empty	line 12, any	line 17, end he
line 3, aid he	line 8, be he	line 13, you see	line 18, essay
line 4, or he	line 9, seedy	line 14, else he	line 19, excess
line 5, deed he	line 10, a jay	line 15, seek a	line 20, L.R.A.

<sup>1</sup> The above rhyme was written thirty years ago. Although its lesson deals with L.R.A., the distinguished predecessor of American Law Reports, it is even more apropos to the later publication since the mass of case law with which the lawyer deals is much greater today.

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# LAW LIBRARY JOURNAL

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## TOPICAL LAW REPORTERS IN THE LAW LIBRARY

BY D. K. BLENDER

*Assistant to the President, Commerce Clearing House, Inc.*

Someone has said that the law library of the future will be entirely microfilm, microprint and looseleaf. If so, the law librarian, now technician, will need to become also electrician, mechanic and collator extraordinary! Facetious though the suggestion may be, the fact remains that new and improved methods of presenting and preserving the law for future reference are very definitely in the picture. The law librarian is keenly alive to these developments because he is eager to improve and enhance the service he renders to his public.

Scarcely in the experimental stage is Topical Law Reporting. In these days looseleaf issues are widely used in large and small libraries, and there is evidence that this use is increasing rapidly. While some libraries have held out against what appears to them to be transient material unsuitable for permanent collection, the pressure of library patrons cannot long be resisted. Thus librarians have come to accept Topical Law Reports as necessary, desirable and inevitable adjuncts to their collections. Where does the Topical Law Reporter stand in relation to other tools and source materials in the library? The answer to this question will serve to demonstrate the uses for which these Reports are best suited, thus indicating how extensive the library's offering

of looseleaf materials should be. In answering this question it will be helpful to consider first the nature of Topical Law Reports, and how they differ from other legal source books.

### Loose Leaf Publication

The physical fact of publication in looseleaf format is not the sole distinguishing feature of the Topical Law Reporter. Indeed, "looseleaf" has come to be taken for granted as the only truly practical means of reflecting new developments *in place* and coordinating new and old materials. It is for this reason that one leading publisher of continuing Reports has abandoned the distinguishing subtitle "publishers of looseleaf law reporting Services" in favor of the more descriptive and to-the-point "publishers of Topical Law Reports." Continuing emphasis on looseleaf format itself detracts from the major contribution of the Services and Reports in organizing legal materials by subject.

It is recognized that the librarian considers the physical fact of publication in looseleaf form important. Especially is this true at a time when staffs are depleted. The work involved in filing current reports in looseleaf materials cannot be overlooked. For a library housing a large looseleaf collection, the

time of one and sometimes even two staff members is entirely consumed in keeping the volumes up to date. That looseleaf materials do not remain in the library ready to use without work on the part of the librarian is certainly true. But this labor cost is handsomely over-balanced by increased service to patrons in the expansion of the library's facilities for true assistance. Also without these continuing Reporters the library would be foreclosed from serving at all in certain significant fields where the interest and need are greatest.

### Basic Law Collection

If "looseleaf" is but an incidental feature of the process called Topical Law Reporting, then what is the essence of the method? The distinguishing features of the method will come to light in relation to other tools found in the law library. If one were starting from scratch to build up a law library, one would concentrate first upon basic materials: statutes and court decisions. Then because administrative procedure and practice have come to be so important in the practice and study of the law, one would add the basic reporters of administrative issues, such as the *Code of Federal Regulations*, the *Federal Register*, and the state administrative codes, as well as volumes of decisions issued by outstanding federal agencies. For use with these basic materials, notably the court decisions, the library would provide digest systems and the usual indexes. In using such a library for the solution of an actual problem, one would necessarily start at the beginning, checking the statute indexes for any statutes in point; similarly, the various digests for court de-

cisions. One would build up a case in the most painstaking way possible without collateral aids affording a bird's eye view of the entire subject and orienting the particular problem to the entire field. It is obvious that such a basic law collection would be adequate for research of none but the most simple, common law questions, and then only in the most laborious way. Such equipment would be of little help to the specialist, nor would it be of great avail on current questions of labor law, federal taxes, and the like.

Then add other tools to this basic collection, starting with the leading textbooks, and gradually the utility of the basic materials is enhanced. Through the textbook, the searcher is given a start in the analysis of his problem. He sees the whole field and is introduced to available authorities which are then checked in greater detail. It must be remembered, however, that the distinction of its author and the recency of its publication determine the usefulness of a textbook in solving a problem in research.

Going a step further, one would build up this hypothetical library collection by the addition of the various encyclopedias. Such a law collection would begin to be helpful on basic common law problems in the field of real estate, wills, etc. When the library is used largely for such common law matters, reference to the encyclopedias and then to pertinent statutes and court decisions can probably suffice. But even with the addition of the encyclopedias, and other panoramic source books, such a library is nonetheless deficient. First, there is still a great amount of time needed in putting together the various types of legal ma-



materials, working in the statutes with any regulations, decisions and other items in point. Second, such a library would be deficient in its coverage of administrative materials. This is not to imply that the various official releases of administrative bodies would not be available in such a library. They obviously should be added for important federal agencies, and agencies of the state or states with which the library is concerned. But even with these basic administrative materials, such a library would still lack the essential function of coordination—the bringing together of all pertinent information by subject or topic.

### Topical vs. Jurisdictional

Thus present day specialists rely increasingly on modern Topical Law Reporters and expect to find them in their law libraries. Widely different from old-fashioned "jurisdictional" reporting, these Topical Reporters embrace one field or related fields by topic or subject, putting in one place everything pertinent from all law-making agencies and all jurisdictions concerned. In a Topical Reporter are found all kinds of authorities—statutes, administrative regulations and rulings, court decisions—put together in a logical "compilation" and kept up to date by frequent issues of new developments and changes. Not only are all kinds of authorities reported together, as they must be consulted together, but all jurisdictions concerned—federal, federal and state, all-states—are brought within the same reporting unit. Such concentration in one unit automatically does away with search through scores of general reporters and does for the lawyer what he would necessarily have to do for himself were he limited

by old-style methods. Furthermore, Topical Reporting assures that completeness of search which the specialist strives for, since each individual unit is designed for those who prize completeness and current reporting.

This specialization or "topical" feature is of considerable assistance in research since it reduces the number of sources which must be consulted. For instance, in order to secure information equivalent to that contained in the *Federal Tax Reporters*, hundreds of volumes of statutes, court decisions, departmental rulings, Tax Court decisions, etc., would have to be consulted. The subject of "labor law" is one which embraces a wide variety of topics. Reporters on labor law present a pragmatic collection of subjects brought together "under one roof," so to speak, because subjects of this nature are logically consulted together by those interested in the field. Thus you will find in the *Labor Reporters* coverage of labor relations, wage and hour laws, as well as collateral federal and state laws having to do with the employer-employee relationship. Again, the sources necessary for consultation on the solution of the smallest phase of labor law would be practically impossible were it not for the availability of the *Labor Law Reporters*.

### Reporting Administrative Law

Thus, Topical Law Reporters have come to be accepted and widely relied upon in all modern fields, and particularly for the coverage of administrative law. All librarians are familiar with the inadequacies of the reporting of basic administrative materials even to this day. Report of administrative sub-

stantive and procedural law in topical form cannot, of course, replace the basic government administrative reporters. But it affords an approach to a particular field and leads to the basic materials where they appear in full text. As the amount of administrative law increases and becomes more complex, Topical Law Reporters become more important in coordinating the information available. But at the same time the Compilation or basic portion of the Reporters functions to some extent as "catalogs" or indexes which must be elaborated upon by consultation of the full-text reporters. For example, in the field of federal taxes the mass of law is so enormous that a Reporter reproducing substantial portions of the various interpretative authorities in any extended text would be highly impracticable. Consequently, the user is referred from the Compilation to the various reporter systems where he reads the full texts of court decisions, rulings, Tax Court decisions, and the like.

#### **Current Law**

In using Topical Law Reporters, it is important to remember also that their primary purpose is to reflect current law. The lawyer frequently deals with the past. He must often reconstruct the rules as they existed six months or even some years ago. The law may have changed greatly in the meantime, or there may have been a wide variety of recent administrative releases not directly pertinent at some earlier time. Looseleaf materials, kept up to date with current changes, present the current picture and show where the prior interpretations may be located in full text. Now in the law library the saving of all materials is a religiously adhered-to

principle, and the law librarian finds it difficult to dispense with old looseleaf pages in the belief that there may be call for them later. There is no escape from the fact that the content of Topical Law Reporters is changed continuously, and that preservation of the prior pages is not only impracticable but highly undesirable as well. Thus the law librarian will offer the Topical Law Reporters for their undoubted assistance in the research of current law and for the many clues they afford on the history of prior provisions.

#### **The Question of Complexity**

From this outline of the way in which Topical Law Reporters fit into the library picture, it is apparent that they advance the library's service to its patrons, representing a genuine step forward. Designed for complex times and for the report of complex systems, the Topical Law Reporters have themselves been accused of complexity. Where the charge is warranted—and not all Reporters are complex—it becomes easily understood in the light of the particular unit's objective. It is simply impossible to cover an extensive field like federal taxation in a unit as simple as a child's primer. Not only is federal taxation itself an exceedingly technical field of law, but the federal tax system is established by a most voluminous and all-embracing collection of authorities. Where but in federal taxes would you find such diverse authorities as the Internal Revenue Code, Commissioner's regulations, decisions of a special Tax Court, decisions of the Federal District Courts, Circuit Courts of Appeals, United States Supreme Court, rulings of the Commissioner's Office in wide

variety and scope. A Reporter including all such items is necessarily more complex than a series of books reproducing decisions only.

Furthermore, not only are the Topical Law Reporters most needed in complex fields, but their continuing nature must be taken into account in passing judgment. For example, a law book presenting the picture as of today and stopping at that point, can be used rather readily through one index to its contents. But the Topical Law Reporters present not only the basic law, but keep that basic content up to date by current issues of new developments. This demands an additional indexing system to bridge the space between the basic and new authorities. Since this essential second step is rarely taken in connection with other legal publications, the Topical Law Reporters are not deservedly labelled "complex."

### **The Question of Expense**

The question of expense in connection with the addition of Topical Law Reporters to the law library arises from time to time. Nowhere but in Utopia do law libraries have all the money they would like to spend for books and services. In view of the wide variety of source books which the law librarian deems essential for his basic collection, the annual cost of the Reporters needed for good service is not inconsiderable. It all comes down to the question of "How much service?" If the library serves busy practitioners, it has long since decided that the cost of Topical Law Reporters is essential for effective operation. If the library attempts to invade fields of modern law, those having to do with administrative regulation,

then it cannot well overlook the Topical Law Reporters, considering their cost an essential expenditure in forming a well-rounded collection. In the law school library, where the emphasis is upon fundamental principles rather than current law, the place of Topical Law Reporters has nonetheless become well established. Here again the need for thorough coverage of modern fields is apparent; also the necessity for acquainting law students with the kinds of tools they will encounter in actual practice, not to mention their continuous use on seminar and research projects. Thus the cost of such materials is surely relative to the library's over-all job. If the library exists to speed and simplify research, then the element of cost represented by the continuing nature of such Reporters becomes relatively insignificant.

### **Topical Report of Court Decisions**

Growing out of looseleaf Topical Law Reporting is a new development—the topical report of case law in compact bound volume form. While there have been for many years a few isolated subject reporters of court decisions, most lawyers have had to rely on the various "jurisdictional" case reporters. No librarian needs to be told that the amount of case law for consultation on many questions is staggering. Bar associations and other groups have long been concerned with the over-production and extreme length of appellate opinions. The number of legal precedents directly affects the utility of the various digest systems. Under existing circumstances, research of a problem of automobile insurance, for example, becomes an exceedingly laborious undertaking, and the

chances of locating a case "on all fours" are indeed remote. Furthermore, lawyers are tending to specialize their activities to a greater and greater extent. For whatever reason, the old time general practitioner, like the old-fashioned "horse and buggy doctor," appears to be on the decline.

Now these influences directly affect the growth of the topical report of case law. An outstanding example of such topical case reporters is a series of case books devoted to court decisions on federal taxation. Among the advantages of this and other topical case books is their bringing together of all precedents in one field, thus doing away with time-consuming search through scores of general reporter volumes. The topical method of reporting court decisions offers the further convenience of to-the-point indexing, and more specific headnoting, for it is obvious that case book series on one field can specialize to a greater extent than can the general reporters which seek to cover the whole field of law. Thus, on a federal tax question, the search for case precedents is immeasurably simplified by referring to a specialized series of books reproducing all of the federal tax court decisions and nothing else. The same process is followed on a labor law question. The location of precedents in such highly specialized fields through the digest systems is an arduous process. The digest headings frequently are inadequate for administrative law questions, and in some instances have failed to change with the times. Furthermore, the physical task of assembling the general reporter books themselves—one case in this book—another in that book, and so on—is also burdensome. When the

search is narrowed to the cases on a particular point within a series, there is obvious convenience and saving of time. The librarian to some extent sees in these topical case reporters duplication of other reporters in his library. Duplication as such cannot be denied. But there is no duplication so far as ready location of precedents is concerned. Every secondary source added to a law library duplicates in some measure the basic statutes and court decisions. When there is reason for such duplication, as there certainly is in the instance of the topical case reporter, their utility becomes well established.

#### The War—And After

Just as the war advanced scientific research and progress in many technical fields, so did it further the development of Topical Law Reporting. When World War II began, the topical method of law reporting had already proved its utility. Units on federal taxes, business control, labor law, etc., were in widespread use. Specialists in all fields relied on these reporters, and their indispensability was well established. Drastic wartime controls and enormously increased taxes widened the use of such Reporters and proved their convenience anew. Especially in the field of "war law," the flexibility of this reporting method contributed outstandingly. Starting at the beginning as an over-all *War Law Reporter*, one unit developed into no less than eight separate "topical" units, each specializing in one phase of this fast growing field. The growth of this unit may be likened to cellular division in which the parts are split off from the parent cell and continue independently. Thus in the original *War Law*



*Service* unit were reported the statutes, proclamations and interpretations setting the stage legally for the war effort. From this beginning grew separate units on "government contracts," "priorities," "price control," "rationing," "manpower," "food control" and foreign regulation of American interests. Likewise, during the war period, the scope of existing reporters increased as new controls were established. Tremendous expansion of the federal tax system was a contributing factor to the indispensability of looseleaf reporting on federal taxes. With such rapid-fire changes, no way short of looseleaf reporting

could possibly have brought the legal news to the professionals and their libraries with the speed and completeness required.

Now we are at peace once more, but it is a peace of regulation and control. Wartime restrictions are melting away, but no one doubts that personal and business activities will be subject to administrative regulation of increasing rather than decreasing intensity. The necessity for specialized legal tools becomes more evident every day, and among such tools the utility of the *Topical Law Reporter* cannot be denied.

## THE NEW MEXICO LAW LIBRARY—A HISTORY

BY ARIE POLDERVAART

*Librarian, New Mexico Law Library*

"Did our caravan cross the buffalo wallow?"

"All but that wagon loaded with them law books, Bill. Those tomes weighed 'er down till she sank in below the axles. Aubry's hooked on some extra teams and they are trying to pull 'er out right now. I reckon they won't have much use for them books out there in 'Mexico' where the *alcaldes* use a magic stick to keep the law and the frontiersman administers what real law there is with his six-shooter and bowie knife."

Thus a frontier scout traveling ahead of the caravan may well have spoken to another as they kept a wary eye for hostile Indians along the way. Somehow those law books did reach the capital of a vast new empire, at the end of the Santa Fe Trail, early in the summer of 1851—books for which Congress appropriated, and the President of the United States, on September 30, 1850, approved

expenditure of \$5,000. Load upon load of these books was trundled across the plains and prairies until they reached the seat of government in Santa Fe. Here the newly established territorial legislature hurriedly appropriated \$1,000 in July, 1851, to make repairs in the Old Palace to install the necessary shelving and to fix up an office for the secretary of the territory who was placed in charge of the library.

The books were housed, according to R. E. Twitchell, in a room immediately west of the Hall of Representatives and could be reached through a small vestibule from the portal. The room was about fifteen feet square and, as additional books arrived, the shelving was extended upward until the room soon was filled with reports and statutes from the dirt floor to the vigas, totalling over 2,000 volumes before the end of the first summer. Included in the col-



lection, besides reports and codes, were the standard texts on the common and the civil law as well as miscellaneous government documents. Many of these volumes disappeared throughout the years or finally burned in the capitol fire of 1892. A few, however, are still in the library today.

A resolution in the legislative assembly on January 2, 1852, indicated that provision for the administrative expenses of the library had been overlooked. The governor of the territory had been obliged to advance the transportation charges on shipments of books, cost of stationery and other incidentals. The 1852 resolution provided the secretary with a little, a very little, expense money, directed him to pay off such bills as he could, and particularly to refund to His Excellency, the Governor, whatever he was out of pocket.

It soon became apparent that the secretary of the territory could not adequately supervise the library as one after another of the most used volumes disappeared. Consequently on January 14, 1853, a bill providing for the preservation and regulation of the Territorial Library was enacted. It set up a board of directors consisting of the Governor, the judges of the supreme court, the secretary of the territory and the presiding officers of the legislature. Under authority of the act John Ward was appointed as first Territorial Librarian. His salary was provided for at \$100 per annum.

Aside from his somewhat less than lucrative remuneration, Ward was beset by many rigid rules and regulations named in the act or promulgated by the directors. His library room was dark and in the winter uncomfortably cold.

Ward finally bought a little stove and rustled some wood at his own expense to keep a little fire going. On February 3, 1855, the legislature recognized his plight and, a bit reluctantly it seems, authorized the auditor and the treasurer to reimburse him not to exceed the amount of \$25.00 for the money he spent keeping the place warm.

Soon after that, Ward left the library for a better paying job and Juan Climaco Tapia thereafter served as librarian for about two years. When he quit no one wanted the job and the post remained vacant until 1866. In 1863 the legislative assembly became concerned over the matter. Valuable archives as well as the books remained unattended, were borrowed and were never seen again. A new bill was prepared, providing for a more practical board of directors by eliminating the associate justices of the supreme court, none of whom resided in Santa Fe, retaining the Governor, the chief justice and the presiding officers of the legislature, and adding the Santa Fe county probate judge who, in early territorial days, possessed far greater jurisdiction than he has now. The librarian's salary was increased to \$300. A hundred dollars was appropriated for shelving and general renovation of the library and a further sum of \$30 a year was set up for contingent expense.

To spur the librarian into proper performance of his duties, the act of 1863 called on him to prepare a catalog and decreed that any member of the board might drop in on him at pleasure to look into the condition of the library and the discharge by the librarian of his official duties. Should anything be found amiss upon such a visit, the snooping boardsmen was directed to call a majority of

the board together forthwith to take suitable steps to put the librarian in his place and the library into proper shape.

The librarianship, however, went begging for three more years. Then, as Governor Robert B. Mitchell was inaugurated in July, 1866, the new executive named as Territorial Librarian one of his young political followers who had accompanied him to New Mexico from the East. The young man, unfortunately, was absent from the library more than he was present, even during the legislative session of 1866-67. As a result W. F. Army, secretary of the territory, more or less looked after the library until the Governor was temporarily absent from the territory. Then Army, as Acting Governor, appointed a young New Mexican by the name of Trinidad Alarid, member of a respected native family, to the post. Alarid later served the territory as auditor for nearly twenty years. His appointment as librarian was confirmed by unanimous vote of the Legislative Council and he proved a capable and faithful public servant. The legislature gave him a special appropriation of \$40 to rehabilitate the library because, as the appropriation act explained, the library books were "lying upon the floor."

Alarid never succeeded in gaining Governor Mitchell's good will. In May, 1867, while Alarid was away from Santa Fe on a short business trip, the Governor seized the opportunity to make an examination of the library as by law provided. Finding the door locked the Governor sent for a carpenter to break it open. Word of the Governor's move traveled fast, probably via messenger dispatched by Secretary Army who learned of the Governor's intentions, and ere

the carpenter reached the scene the librarian's brother delivered the key to his royal highness. Despite Alarid's earnest efforts, the library naturally had not recovered from the fearful earmarks of years of neglect, and the Governor eased the librarian from office "for legal cause."

Again the library was the loser and there was no taker for the position of librarian until 1869 when Ira M. Bond, later a newspaper editor in Albuquerque, took over. During May, 1869, William A. Pile was inaugurated Governor of New Mexico. The new chief executive proceeded promptly to renovate and clean up the rooms in the Old Palace. Next to the secretary's office and to the library there was a fair-sized room with dirt floor, piled high with old papers, books and debris. On discovering this accumulation Pile called on the librarian, Bond, to dispose of it so the room could be cleaned and occupied. Bond, somewhat less impetuous than his superior, hastily looked the papers over and found a considerable amount of manuscript material dating back to the Spanish and Mexican regimes. He was informed by several old timers that these papers were junk, had been examined by two former secretaries of the territory and had been by them discarded. The worst of this paper Bond pitched out the window into the street in front of the Palace where he knew the native people would pick it up and use it for starting fires. Eluterio Barela, a woodhauler from Cienegita, came by with his *carreta*, saw the pile of paper and obtained permission from Governor Pile to haul it off. Bond sold some of the better paper in the collection to Santa Fe businessmen for packing and

wrapping merchandise.

Scarcely had the "archives" been disposed of, however, when a crusade was started by the *Santa Fe Weekly Post* charging that Governor Pile had ordered the destruction of the old Spanish and Mexican archives of New Mexico and hinted, furthermore, that the librarian had pocketed the proceeds of the sale.

Bond, as was to be expected, denied the charges. "Since," he declared in a rebuttal in the *Santa Fe New Mexican*, "this has given an opportunity to some persons who 'see the mote in others' eyes, and not the beam in their own,' I have got the papers back, and propose to keep them until next winter and ask the legislature to appoint a committee to examine them, and preserve any of them that they think proper." Actually, only part of the papers were retrieved. Some no doubt had already been used for wrapping and the papers which Barela salvaged, or those of them which were left, were not returned until 1886 when the woodhauler turned them over to Samuel Ellison who was then librarian.

As to the money which had been realized from the sale, Bond asserted the library had nothing but a dirt floor when he took over and he had used the money, together with the \$30 contingent fund for the year, to put in a good floor as well as substantial shelving, window frames, chairs and about 300 new books.

Official disinterest in the library continued and Bond soon quit in disgust. He was succeeded in 1871 by James C. McKenzie. The situation was deplorable and McKenzie appealed to the press for help. He lamented that valuable sets of reports were broken. He pointed out that many states and territories were willing to supply books without cost but

that the legislature had been too niggardly to provide funds to pay the express. Supporting the librarian's plea, the editor of the *Daily New Mexican* called attention to his starvation salary of \$300 a year payable in territorial warrants which were worthless unless there was money in the till to meet them. It was insufficient to pay the expenses of the institution, he declared, let alone the personal services of the custodian.

During the closing hours of the legislative session on January 9, 1874, the legislature engaged in an interesting bit of skullduggery. In an act designated as amending the school law, inserted as Section 5 thereof, appeared a provision making the superintendent of public schools of the territory ex officio Territorial Librarian. Its actual purpose was to provide pay for the superintendency, as for the services in these *two* capacities the incumbent was to receive the emoluments of librarian "and no more" as entire compensation.

Whatever effect this law may have had upon the advancement of public education in New Mexico, the Territorial Library probably was no worse off. On April 2, 1875, it was reported to contain about 4,500 volumes. McKenzie continued as librarian until 1878 when he was succeeded by Aniceto Abeyta who in turn was followed two years later by one of the ablest of the territorial librarians, Samuel Ellison.

Ellison was born in Kentucky and after spending some years in Texas and Mexico, came to New Mexico in 1848. Since 1849, when he was employed as an interpreter and secretary to Colonel John Monroe, civil and military commandant of New Mexico, Ellison gained distinction as a linguist. He served as

clerk of the New Mexico Supreme Court from 1859 until 1866, and was official translator for the legislature during several sessions, serving as a member of the legislature himself on three occasions, once as speaker of the house, in 1865-66.

Upon his appointment as librarian in 1881 Ellison devoted most of his time to examining the old Mexican and Spanish archives pursuant to an 1882 act of the legislature which made it his duty to arrange these manuscripts "either chronologically or by subjects," and then to have them "bound in suitable volumes for preservation." He was given a fund of \$400 for the purpose. Ellison reported to Governor Lionel A. Sheldon two years later that "with the meager sum . . . it could not reasonably be expected that much could be accomplished." He also explained that the material had been arranged under broad subject classifications such as church, Indians, military, etc., but that because of the nature of the documents the arrangement was necessarily imperfect, though he felt it was in any event better than to arrange them chronologically. As to binding, he said that (aside from the lack of sufficient funds) many of the documents were in such brittle condition that binding them was out of the question.

During Ellison's administration many improvements were made in the library. Ellison believed in exchange and in 1882 he succeeded in putting through the legislature a bill authorizing the exchange of the new supreme court reports with other states and territories. The lawmakers also passed a new measure (which broke the link with the educational department) for the appointment

of the librarian by the Governor with the consent of the legislative council. The Governor, the secretary of the territory and the librarian were empowered to make the necessary rules and regulations for administering the library. By the same act the librarian was directed, before the next session of the legislature met, to "cause each book in the library to be labeled with a printed label, to be pasted on the outside of the cover, with the words 'Territorial Library, New Mexico,' with the number of the volume in the catalogue of said library enscribed on said label, and also to stamp the same words at the bottom of the twenty-fifth page of each volume." Some books bearing Ellison's telltale markings pursuant to this act are still in the library, but none of the numbers goes above 400. Though Lafayette Emmett in 1900, noting these numbered volumes, expressed it as his belief that this indicated there were no more than 400 books in the library at the time, this conclusion appears refuted by one of Ellison's reports to Governor Sheldon which gave the number of volumes in the library on March 1, 1882, as 1,668. The more likely answer, therefore, is that Ellison never completed the chore, though it is conceivable that through some coincidence all volumes over 400 were among those destroyed in the capital fire of 1892.

As an indication of Ellison's qualifications as librarian, the 1882 legislature doubled his salary, making it \$600 a year. In 1884 Ellison reported that, though there was not a single article of furniture in the library when he came, few shelves and no catalog, by the time the report was made shelving had been installed, repairs completed and 142 law books added.

In 1886 Ellison made a fervent plea for additional funds for the library. Since a new capitol was about completed providing more adequate quarters for the library, the legislators lent a sympathetic ear and for the first time in its history the library received an appropriation from the territory for the express purpose of building up its book collection. The appropriation was generous—\$5,000. Ellison and Chief Justice Elisha V. Long are said to have had a delightful time filling in missing volumes and buying new sets of reports and statutes. The legislature also changed jurisdiction over the library and vested its control in the judges of the supreme court.

Actual removal to the Capitol did not take place until August, 1888, owing to the difficulty in obtaining necessary shelving. Even then the material was not available but because impatient United States officials demanded the space occupied by the library in the Old Palace the books were brought over and dumped in heaps on the floor in capitol hallways and vacant rooms. Here the repositories of the law reposed for three months while employees and visitors navigated around, through and between them, until the shelving was finally installed. Placing and arranging the books was completed barely in time for the opening of the legislature on December 31.

The arrangement making the supreme court judges the governing board of the library under the 1886-87 statute still proved unsatisfactory because all except the judge who presided over the first judicial district resided away from the capital. To aggravate the situation, the chief justice now resided in Las Vegas instead of Santa Fe. The 1888-89 legis-

lature, therefore, again reshuffled the board and designated as chairman the presiding judge of the First Judicial District who did live in Santa Fe instead of the chief justice. This judge himself was authorized to appoint two additional residents of the county to serve with him as a board.

A new library measure in 1891 provided that the librarian thenceforth would be required to speak both English and Spanish fluently. It raised his salary from \$600 to \$900 and stipulated that if the incumbent wanted to take a vacation or otherwise found it necessary to be away from the library it would be up to him to find a competent person to look after the library at his own expense.

Jose Segura succeeded Ellison as librarian in 1889. Facundo Pino served from 1891 to 1895, being replaced by Segura on January 17 of that year. Segura served the second time until 1899.

On the night of May 12, 1892, the new capitol building burned to the ground and most of the library's collection was lost in the fire. It was fortunate now that for lack of shelving the old archives had not been brought over from their dirt-floored, dusty store rooms in back of the Old Palace.

A new collection of books was gradually assembled and the volumes were placed in the only quarters available—four small basement rooms, two of them without light where the less used documents were buried and the other two without sufficient room to shelve books in daily requisition. Two months before his second retirement Segura reported the library again had about 5,000 volumes and that the books were insured



for \$15,000. The Spanish archives, which he said dated back as far as 1621, were still being neglected and were fast crumbling away.

Colorful Judge Lafayette Emmett, the father-in-law of Governor Miguel A. Otero, who had served as chief justice of the Supreme Court of Minnesota for nine years, was designated Territorial Librarian by the Governor as Segura's successor. Judge Emmett's appointment was popular with members of the bar. His diplomacy in explaining the sad condition in which he found the library reflects his judicial background:

When in March, 1899, the library came under my control, I found it in many respects in a very unsatisfactory condition, not because of any fault of those previously having it in charge, but mainly by reason of the cramped and unsuitable quarters to which for years it had been confined.

A year later the library moved into more spacious quarters in the newly completed capitol. Classifying and arranging the books, including tons of government documents which he reported were in almost "inextricable confusion," presented a major problem for the judge. There was again no catalog when he took over and he greatly bemoaned the fact that he could make no comparison with library holdings in the past. After a complete physical inventory in February, 1901, he reported the number of books shelved in the new capitol at 5,550. In addition he said that there were "many thousands in number and many tons in weight of valuable public documents for which no room can be found in the capitol except by stowing them in the basement."

Judge Emmett took steps toward better preservation of the archives by depositing them in the more or less fire proof vaults of the secretary of the territory.

About this time federal authorities became increasingly nervous as to the treatment the archives had been receiving. Governor Otero advised the legislature on January 19, 1903, that the Librarian of Congress through the Secretary of the Interior had suggested their transfer to the national library where they would be "absolutely safe and properly classified and indexed without expense to the Territory." The offer was promptly accepted with an understanding that after the work of sorting, translating, summarizing and indexing had been completed several copies of the printed reproduction of the archives were to be sent the Territorial Library.

Throaty rumblings, however, quickly developed as historians and others who understood the unique value of these early documents of the Southwest realized that this vast collection of source material had apparently left New Mexico for good. Probably in response to these outcries the secretary of the territory said in his annual report in December, 1904:

As the documents were practically unavailable in the form in which they were stored here, there can be no doubt but that the people of the Territory are to be congratulated upon the fact that the archives have been transferred to the hands of persons who have both knowledge and means to investigate their contents and publish the results of such investigation in comprehensive and convenient form.

But clamor for return of the docu-

ments grew louder. Finally, largely due to the untiring efforts of Dr. Edgar L. Hewitt, they were returned and placed in the custody of the Museum of New Mexico, where they are now housed, properly classified and protected in fire proof vaults.

After passage of the library act of 1889, which gave to the board of trustees "sole management, control and supervision of the library" together with complete management of its financial affairs, the office of librarian had become little more than that of a custodian together with such responsibilities as might be said to go with it for the arrangement and classification of the material. To Judge Emmett the limitations apparently were a bit irksome at times as he referred to them frequently in making his reports. Nevertheless, not many years later this very circumstance proved a salvation to a succeeding state librarian at a time when the office had unfortunately become a political castabout.

Judge Emmett was followed in 1905 by the first of two women librarians. This was Mrs. Anita J. Chapman, related to a well known New Mexico family. With changes of administration in 1909 Mrs. Chapman was succeeded by Mrs. Lola C. Armijo, mother of Rough Rider George Washington Armijo, who held the office until 1917. Soon after New Mexico attained statehood in 1912, Governor William C. MacDonald sought to replace Mrs. Armijo and nominated Mrs. Mary Victory for a two-year term. The newly organized state senate under leadership of Attorney H. B. Holt as chairman of the Committee on Executive Communications, refused to confirm the appoint-

ment, and Mrs. Armijo held over.

A short while later legal action was instituted to oust Mrs. Armijo by a proceeding in *quo warranto* upon the sole basis of—sex. Could a woman hold a public office in New Mexico; there being no statute authorizing her to do so? The case reached the New Mexico Supreme Court which in a two-to-one decision resolved the question in Mrs. Armijo's favor.<sup>1</sup> After drawing some fine distinctions the supreme court concluded that the office was a purely ministerial one since, from a review of the then applicable statutes for regulation of the library, the librarian was "not required to exercise his or her judgment in any respect," and for that reason, wrote Chief Justice Roberts, the duties of a state librarian "are not incompatible with the ability of a woman to perform."

Since the library, as Judge Emmett observed as early as 1900, was to be "classed as a law library pure and simple," save for the government documents, the various political maneuverings proved extremely distasteful to many members of the legal profession and on March 15, 1912, H. J. Collins, an Albuquerque lawyer, proposed to the New Mexico Bar Association that it sponsor legislation to return jurisdiction over the library to the supreme court. The litigation which followed soon thereafter further emphasized the wisdom of such a move and by an act of the legislature in 1915, which became law by limitation, the members of the supreme court were constituted a board of trustees to supervise the library and to select the librarian. This act, with a few minor amendments, is the law

<sup>1</sup> State v. Armijo, 18 N. M. 646, 140 Pac. 1123 (1914).

under which the library is administered today.

Following Mrs. Armijo's retirement in 1917, the supreme court reappointed Mrs. Chapman who continued in office until the summer of 1937.

Since 1900 the library has grown steadily. The 5,550 volumes which Judge Emmett reported in 1901 had increased to an estimated 10,750 volumes by July 1, 1903. On January 7, 1907, the total, including some of the government documents, was estimated by Mrs. Chapman at 13,722. On January 1, 1937, Mrs. Chapman reported an estimated total of 26,500 volumes. A physical inventory taken a year later gave the figure on January 3, 1938, as 32,971, excluding pamphlet material. Total bound volumes on July 1, 1945, numbered 47,023.

By Chapter 154, Laws 1931<sup>2</sup> the library was designated by the legislature as legal depository for copies of official departmental publications. All state departments and agencies since that date have been required to file three copies of all their official reports and publications with the library for permanent preservation, one copy being turned over to the Museum of New Mexico. Since this law was enacted, and particularly within the past five or six years, thousands of valuable territorial and state documents have been accumulated and filed in a special New Mexicana section.

The matter of adequate space for housing the library collection continued until 1938 to be a serious problem. In July, 1903, Judge Emmett reported that there was room for approximately 8,000

volumes in the main unit on the second floor of the Capitol, but that by extending the shelving upward and further crowding, the capacity could be increased to approximately 12,000. In the basement, however, where the government documents were kept, there was room for no more than two years' growth. By 1911 when an annex had been completed to the old part of the Capitol its entire second floor, now occupied by the Bureau of Revenue, was turned over to the library. In these quarters the library remained, becoming increasingly crowded, until completion of the new supreme court building.

An able library committee and a capable architect worked together to design the present quarters comprising the central unit of the new building, making the library one of the most modern in design and arrangement in America. Constructed on three main floors with nineteen reading and study rooms on the first and second floors, the library has been made more conducive to study and research than previously with the old type central reading room plan. Current textbooks, the *National Reporter System*, encyclopedias, current statutes and legal periodicals are on the second floor; less used state reports, early session laws and attorney general reports are on the first. Foreign reports and statutes, international law and federal administrative reports are shelved on the third floor. Least used materials, such as superseded editions of textbooks and many state and federal documents are shelved in the extensive library basement rooms.

<sup>2</sup> N. M. STAT. ANN. (1941) §§ 3-713—3-716.

# AMERICAN ASSOCIATION OF LAW LIBRARIES

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## FOR FEAR THE GALLOWS

BY VIRGINIA KNOX

*Law Librarian, Connecticut State Library*

"Steal not this book, my honest friend, for fear the gallows be thine end," thus runs an old book inscription from the pen of that thorn in the librarian's flesh, Anon.

Although the professional book thief merits the gallows, I think we all feel this versified warning to the "honest friend" was not written with him in mind, but rather that dilatory borrower of books, member of a much more common species of sinner, and quite often in truth, a most honest fellow. If the rhyme was meant to give more than a friendly warning, there have been times when most of us would have spent a sleepless night for "fear the gallows" or its modern counterpart.

Benjamin Franklin speaking autobiographically claims that he often sat in his room reading during the greater part of the night, when the book was borrowed in the evening and to be returned early in the morning, lest it should be missed or wanted. A rather lonely soul, in many ways, the Honorable Benjamin.

All of which brings us to that trite observation once again—every evil has its good. The frailties of man, the borrower, caused man, the lender, to take what precautions he could to guard his property. Thus he early started to inscribe his name, and sometimes the date and address in his books, and if he had one, he pasted in his bookplate.

Perhaps the lover of, and searcher after association copies should incorporate a sign of the gallows in his bookplate, for without its threat he

might never have a means of tracing those volumes he cherishes in his library, worn by passage through many hands.

Such a searcher and lover of association copies is Professor Frederick C. Hicks of the Yale Law School, and he is also a missionary in the field, sending the word abroad by his articles and his letters, and leading others to the search and its satisfying rewards.

It was at the Hotel Roosevelt, New York, in June 1937, a Friday afternoon, that the beginning was made, when Professor Hicks delivered his speech on the "Odor of Sanctity"<sup>1</sup> before the Law Librarians assembled in Thirty-second Convention.

Now librarians, as we all know, are the most underpaid, understaffed, put upon, people in the world—they haven't the time, they haven't the help, but they do have a willing and cooperative spirit. Because of these things not many were able to respond to the invitation of the "President" of the "Odor of Sanctity" society, for other law librarians to enter the gate whence one soon finds there is no returning. Miss Frances Lyon was one who did become a follower and she has told of some of the association copies in the New York State Law Library in her article "The 'Odor of Sanctity' in the New York State Law Library."<sup>2</sup>

Another call has gone out from our "President" who hopes to expand his initial article into book length, and it is

<sup>1</sup> (1937) 30 L. Lib. J. 415.

<sup>2</sup> (1937) 30 L. Lib. J. 506.

in response to this call that the law librarian of the Connecticut State Library has spent many profitable and exciting hours delving into the story of collections of law books which have come to the Connecticut State Library, and has entered the company of the former owners of these books through the names and comments written within the covers and on the pages of the books.

The start was made with the largest collection of about 600 books which were the gift of the heirs of the Honorable Thomas Day to the Hartford County Law Library Association, February 6, 1856. An article of that association provided that if the library should become extinct, the books should vest absolutely in the state, and become a part of the State Library. That was the fate of the Hartford County Law Library in a few short years, the next county library being formed in 1877 under the statute authorizing the establishing of law libraries in all counties.

At this point it might be well to observe that, whereas in a law school library especial interest is felt in books from the libraries of its founders, professors and students, so in a state library, linked as it is with the supreme court, books once the property of the chief justices, judges and court reporters predominate in interest. In this initial search the desire was born to have every Connecticut chief justice represented in our collection of autographed law books. Such a state appears utopian at this point.

To return to the collection of Connecticut's first official reporter, Thomas Day, two very rare items came to us from this collection: the 1672 Connecticut Colony laws, and the 1702 Connecti-

cut laws. The 1672 folio bears the signature of Caleb Stanly (or Stanley) and contains his manuscript copy of Connecticut laws from 1673-1701. Stanly was a member of the committee which produced the 1702 revision.

John Hamlin of Middletown owned the folio of 1702 Colony laws which also contains in manuscript part of the laws passed at the October 1702 session, signed John Hamlin Regist<sup>r</sup>. The names "Jedidiah" and those of Solomon Sage & George Wyly Esq. appear on the back page and cover. Possession later passed to Chief Justice S. Titus Hosmer of Middletown. John Hamlin's inventory of his estate probated in Middletown 1732-33 shows "a Large Bible 2 £, a Law Book 10 s and a psalm book 2 s."

Another chief justice, Eliphalet Dyer, is represented in the Day collection in Vaughan's *Common Pleas Reports* (1st folio edition, 1677). On the title page is "Elipa Dyer's—presented to his grandson George Wyllys, 1804." It is clear that Eliphalet, or the dealer from whom he secured the volume, did not have our interest in autographs, a fact sadly evidenced by the writing which practically obliterates the signature of the first owner of this volume. However, the quality of the English ink of 1678 triumphs over the later sample and one can just distinguish the name Rich: Edwards of the Inner Temple, 1678. That other books from the library of this famous son of Connecticut may today be in Pennsylvania libraries is indicated by the following bequest in Dyer's will probated in Windham in 1807: "I give to my grandson Thomas Dyer my Law Books such only as he shall think proper to remove to Susque-

hanna where he lives, the remainder of my law books and all my other books to be equally divided between my sons Thomas and Benjamin." Quite possibly Dyer secured the Vaughan *Reports* and others in England during his stay there as representative of the Susquehannah Company, during which stay he lived handsomely at the expense of the company and failed not to attend the English law courts.

*The Abridgment of Cases* (4th edition, Savoy, 1756) contains an interesting line of ownership thus: "Benj Douglas" / "John Trumbull's book bought of Mrs. Eliz<sup>th</sup> Douglas, 1776" / "Chauncey Goodrich" / "from E. Goodrich to Thomas Day Esq. as a Testimony of Friendship." In Blackstone's *Reports* (2 volumes, London, 1781) appears, "Thomas Day bought of executor of Chauncey Goodrich."

The John Hooker—Mary Hall Law Library of about 200 volumes was presented to the State Library September 12, 1927, by Miss Mary Hall, first woman to be admitted to the Connecticut bar. John Hooker, court reporter for thirty-six years, in his reminiscences admits writing more than fifty opinions for the judges during his reportership. One of these was *In re Mary Hall* which interpreted the two hundred year old statute admitting "any person found qualified" to the practice of law, to include women. Mary Hall studied law under John Hooker, who defended her case, and who admits having written the favorable opinion found in volume 50 *Connecticut Reports* page 131.

He married Isabella Holmes Beecher, famed for her pioneering in women's rights and founder of the Connecticut Woman Suffrage Association. Her in-

terest in equal rights for women is said to have been aroused as her young husband read Blackstone to her while she knitted. The five volumes of Tucker's *Blackstone* (1803) which came to the State Library in the John Hooker—Mary Hall collection bear the inscription "J. Hooker Bot of L. Whitman's estate."

Mary Hall commenced the study of law with her brother Ezra Hall of Hartford. He was a promising young lawyer who died in his early forties and his sister continued her studies with John Hooker. Two years after her admission to the bar in 1882 she was made a notary public by Governor Waller, another unusual honor for a woman. Her special field became probate law. *Greenleaf on Evidence*, volume 1, (13th edition, Boston, 1876) is a book from the collection which has the signatures of both John Hooker and Mary Hall.

The beauty and serenity of the Litchfield Hills has been the inspiration for a liberal percentage of Connecticut's legal luminaries. Out of that dignified old town alone have come four of Connecticut's chief justices, a record exceeded only by the Capitol City and leaving one hundred and fifty towns yet to supply one chief justice. Two Litchfield families accountable for at least a dozen outstanding lawyers and closely related by marriage and in business were the Woodruff and Seymour families. With the death of James P. Woodruff in 1931 a century and a half of practice in Litchfield by members of that family terminated. In 1932 women of the Woodruff family presented to the State Library the manuscript account books, receipt and cash books, day books and printed law books.

One of the most interesting features of the book collection, and most valuable for its associations, is the collection of books from Tapping Reeve's library. The inventory of Tapping Reeve's estate probated in Litchfield in 1823, itemizes his law book collection and values it at \$237.75. In George C. Woodruff's Cash Book, containing entries from October 1, 1832 to March 7, 1835, occurs an entry under date of October 21, 1834: "p<sup>d</sup> Mrs. Reeves for Books 35 (-1. off) \$34." These books in addition to multitudinous Tapping Reeve signatures, doodling, marginalia and comments bear the name of Geo. C. Woodruff, 1834.

Coke's *Commentaries* (14th edition, Dublin, 1791) bought by Reeve May 19, 1792, is the high spot in the collection for numerous asides and inscriptions. The names of students, quotations in Greek and Latin, poetry, caricatures and comments all make it an intimate volume.

The Tapping Reeve copy of Strange's *Reports*, volume 1, apparently served as a bulletin board. Inside the cover in large capitals are the glad tidings, NO LECT==URE today. Above this statement there is a large hole through the cover as though the book had been nailed or tied to something to assure the notice being seen. Wilson's *Reports* (London, 1784, volume 3) in addition to the Reeve and Woodruff signatures bears the name of Reeve's pupil, partner and successor, James Gould. Chief Justice Church paid great tribute to Gould's profound knowledge of the common law, calling him the "impersonation of its genius and spirit."

The Law School not providing sufficient funds, Reeve turned to authorship, bringing out his first work on

*Domestic Relations* in 1816. Our copy one of this 1816 edition formed a part of the Day collection and has the names of Day and S. Titus Hosmer. Our copy two came from the Woodruff collection and according to the entry was "For the office" of Reeve, and we know that one borrower was a student at the school from Ohio in 1820, for he wrote on the fly leaf "Returned J Lake."

George C. Woodruff and O. S. Seymour were brothers-in-law and partners. In 1940 on the death of Justice Seymour's grandson, Origen Storrs Seymour, several volumes from the law library of Origen Seymour were presented to the State Library by his wife, Frances Bolton Lord. The Chief Justice's name appears in Chipman's *Law of Contracts* (Middlebury, 1822) with that of C. W. Andrews and W. Andrews. Asa Kinne's *Law Compendium* (2nd edition, New York, 1840) has the pencilled autograph of Chief Justice "Samuel Church, Salisbury." From him the volume went to C. O. Belden, 1852 and upon Belden's removal to Milwaukee, it became the property of O. S. Seymour, 1859; thence through the Seymour collection to the State Library.

In 1926 Colonel Francis Parsons of Hartford, son of Major John C. Parsons, turned over to the State Library the library of his father which included many books which belonged to Chief Justice Thomas S. Williams, a great-uncle of Major Parsons, and whose office he entered in 1858 after admission to the bar. The library kept nearly two hundred of these, many of which bear the autograph of Justice Williams, and turned the remainder over to Wesleyan University. Brown's *Chancery*

*Reports* (4 volumes, Dublin, 1786-1795) present fine samples of Chief Justice Williams' script. Schouler's *Wills* (Boston, 1887) has "Price \$5.50, J. C. Parsons, Hartford, Conn. Feb. 5, 1887."

Thus represented by the Woodruff, Seymour and Parson gifts, we have memorials of Tapping Reeve, founder of the first Law School and later chief justice, and his pupils, James Gould, who became his associate, and Thomas S. Williams, Samuel Church and O. S. Seymour, who became Connecticut chief justices.

In 1924, Arthur Perkins of Hartford gave to the Library over one hundred volumes from the library of his father, Charles E. Perkins. This included books from the collection of his grandfather, Thomas Clap Perkins. The first Perkins to practice law in Hartford was Enoch, father of Thomas, who opened his office in 1786. The death of Arthur Perkins in 1932 ended a century and a half of practice by members of that family in Hartford. *Angell on Watercourses* (7th edition, 1877) has the name of C. E. Perkins, and Thomas Clap Perkins appears in *Millar on Insurance* (Edinburgh, 1787), Peake's *Evidence* (Philadelphia, 1812) and Runnington's *Ejectment* (London, 1795). These were bought by Thomas at auction in 1819. The signature of the former owner has been cut out of the title page of all three although in the Millar text the name H. Hudson remains.

In 1929 law books belonging to the late Chief Justice Samuel O. Prentice were presented to the State Library. The greater number of some two hundred and fifty books are late nineteenth and early twentieth century texts. Many

of them have the name of Stephen Terry, a Hartford attorney, as well as the name and stamp of Justice Prentice.

Two volumes from the famous Brinley collection which were purchased by State Librarian Hoadley at the sale in Clinton Hall on March 15, 1879, with funds appropriated by the 1879 General Assembly for that purpose, deserve mention. Though the items were considered rare when Mr. Hoadley made his trip to the sale in New York, it now appears he was already custodian of copies of both the 1672 and 1702 Connecticut Colony laws which were among his purchases there and which had come to the library in the Thomas Day collection.

From the Brinley *Catalog*, fine an example as it is of its kind, one would be apt to infer that the autograph in the Brinley copy of 1672 Connecticut Colony laws was that of Governor Simon Bradstreet of Massachusetts. "Simon Bradstreet, d[ono] d[edit] Major Edward Palmes, 1676." After some study the correct answer appears to be that it is the writing of Governor Bradstreet's son, Reverend Simon Bradstreet of New London. Reverend Bradstreet baptized the Palmes children and was adjoining property owner to Major Palmes. Palmes was the son-in-law of Governor John Winthrop of Connecticut and was a man of considerable spirit. The records tell us he was "disaffected to the government" at one time and "fined for defaming Sir T. Trevor." He also contested the administration of Governor Winthrop's estate.

The Brinley copy of 1702 Connecticut Colony laws contains the autograph of William Pitkin Assis<sup>t</sup> and ten pages of his written record of the Inferior Court,



Hartford County, 1709-1711. He was chief judge from 1713 to 1723 and a member of the committee to prepare the third revision of Connecticut laws in 1715. His second wife was Elizabeth Stanley, daughter of Captain Caleb Stanley, owner of our Day copy of 1672 Colony laws.

*Pleadings upon the Quo Warranto Touching the Charter of the City of London* (London, 1690) contains inside the cover the autograph of "William Pitkin His Book A.D. 1724," on reverse of fly leaf, "William Pitkin His Book 1745" and on the fly leaf "Oliver Pitkin's Book 1793." Thus in this volume appear the signatures of the father and son, Chief Judges William Pitkin.

But one other father and son occupied the position of highest honor on the Connecticut bench, Chief Judges Jonathan Law and his son Richard Law. Duncombe's *Trials per Pais* (5th edition, Savoy, 1718) has on the fly leaf "Jon<sup>th</sup> Law, Augst 16<sup>th</sup> 1723" and inside the end cover "hon<sup>bl</sup> Richard Law." The end leaf also has the name of James Hillhouse.

An interesting collection of early folio English reports containing the signatures of Chief Justice Matthew Griswold and his son Roger Griswold were purchased in 1926. President Stiles of Yale made this comment concerning Matthew Griswold: "he fitted for college, settled a farmer, studied law proprio marte, bot himself the first considera. Law Library in Connect." After retiring from public life he returned to his farm at Lyme and President Stiles gives a glimpse of his establishment with its "fine library of well chosen Books, its herds of cattle and general prosperity," and of the

owner "in perfect Health of Body and Mind. Lame yet vigorous."

The books were purchased from London by Matthew Griswold during the years 1750 to 1758 and the date and purchase price is given. They passed from the father to his sons, Roger, Matthew and John Griswold. A son-in-law of Matthew Griswold, Thomas Shaw Perkins, purchased them in 1829 and they passed to his son Joseph Perkins in 1860. Thence they became the property of a Hartford attorney John Calvin Day and were sold as part of his estate. Of the fourteen volumes purchased, the Peere William's *Reports* contain the most elaborate signatures.

The final chief justice represented in this initial search is William L. Storrs (1856-1861). His signature appears on the fly leaf of Holt's *Reports* (Savoy, 1738); "Bo't of Estate of Wm. VanDeursen, Nov. 1834, \$8, by Wm. L. Storrs." VanDeursen practiced law in Middletown and died in 1833.

Three members of the Constitutional Convention have been discovered thus far, Roger Sherman, Charles Coatsworth Pinckney and William Paterson.

Chief Justice Maltbie, in preparing a lecture on "Our National Constitution: Liberty under Law" to be given at Boston University in 1929, made the statement that Locke's definition of liberty must have been in the minds of at least some of the members of the Constitutional Convention. He used the Library copy of Locke's *Two Treatises on Government* to refresh his memory, and as the book lay on his desk, the breeze through an open window blew the pages back to the fly leaf and there before him was the signature, "R. Sherman's." This book, once the possession of Roger

Sherman, also bears the autograph of H. Holmes and came to the Library from the estate of Gurdon Wadsworth Russell, founder of the Connecticut Medical Society and among those who established the Hartford Hospital.

Bynkershoek's *Opera Omnia* (6 volumes, 1744-1751, Lugduni Batavorum) contains the signature of Charles Coatsworth Pinckney, a signer of the Constitution from South Carolina. In 1796 Pinckney was sent on a mission to France by Washington to succeed Monroe, but the Directory in Paris refused to recognize his status and under threat of arrest he left France for Amsterdam. It is interesting to assume that Pinckney secured this set by Bynkershoek during his stay in Holland. Volume six has been robbed of its Pinckney autograph but on all six volumes appears the name of C. B. Northrop. There seems little doubt that this is Claudian Bird Northrop of Charleston, South Carolina, supposed to have been killed during the passage of Sheridan's army. His father was Amos Bird Northrop of New Haven.

Madox's *History of the Exchequer* (1st edition, London, 1711) and the *Compleat Index to Madox's History* (London, 1741) have C. C. Pinckney's name and also the bookplate and autograph of his father Charles Pinckney, for a short time chief justice of the province of South Carolina.

John Mallory's *Quare Impedit* (Savoy, 1737) bears the signature of William Paterson, Governor of New Jersey, introducer of the New Jersey plan at the Constitutional Convention, and a signer from New Jersey.

Of all the books examined the one which gave the greatest thrill on its discovery

was *De Laudibus Legum Angliae* (tr. Gregor, 2nd edition, 1741). It was the property of Noah Webster and then Seth Staples. That Noah Webster had an eye for the future is attested by the fact that he left to certain specified libraries volumes from his own library. The Connecticut State Library was not fortunate in being one of those so chosen and this book with marginalia showing it to have been used by Webster in his work on the dictionary is especially cherished. Seth Staples has written "Bought of N. Webster" and Mr. Webster has written "Sold S. P. Staples, N. Webster." Many of the comments are amusing, such as the one beside the case of an eight year wait on appeal before the Court of Parliament in Paris for what amounted to eight pence English money. Webster has written "This is worse than it is in Connecticut."

Mably's *Le Droit Public de L'Europe* (Geneva, 1776) contains the autograph of D. Webster and was purchased for the State Library at the sale of the library of Colonel Fletcher Webster, lawyer son of Daniel, January, 1864. Colonel Fletcher was killed in the battle of Bull Run.

Webster's argument in the *Dartmouth College Case* influenced Rufus Choate to choose the law as his profession. Choate described a lawyer's vacation as "the period between putting a question to a witness and the answer." His handwriting has been likened to "the tracks of wildcats with their claws dipped in ink, madly dashing over the surface of a folio sheet of white paper." From his library of more than 8,000 volumes we have samples of these tracks on the fly leaf of Plymouth Colony laws (Brigham edition, 1856) and Massachusetts Bay

*Charter and Laws* (Dane, Prescott and Story, 1814).

When Ephraim Kirby left Litchfield in 1804 expecting to assume his position as first federal judge of the Louisiana Purchase, he sold his collection of law books to Seth Preston Beers, a student at the Litchfield Law School. As it has been said that the first fully developed volume of law reports in the United States, published by Kirby, holds the place in our legal literature which Plowden's *Commentaries* holds in English, it was a thrill to find in our copy of Plowden (London, 1684) the signature of "Ephraim Kirby, Litchfield, 1788." As in all the volumes which passed from Kirby to Beers, Kirby's name is neatly crossed out, and the name of Seth P. Beers is added. In 1722 this copy of Plowden belonged to William Gregory of the Middle Temple.

A few English autographs might be mentioned before bringing this detective story to a close. Glanville's *Tractatus*

(1780 edition) has on the fly leaf the name "J. T. Coleridge, Montague Place, Aust. 21, 1838." Probably this was the English jurist, John Taylor Coleridge, nephew of Samuel Taylor Coleridge. Wyatt's *Practical Register in Chancery* (London, 1800) has written on the title page, "G. Vesey from F. Vesey Junr." George Joseph Bell's *Commentaries of the Laws of Scotland* (4th edition, Edinburgh, 1821) says in volume one, "To Tindal Eqr. from his friend The author."

The search has been rewarding and will continue to bring new and thrilling discoveries. This very day two books have come to light, one bearing the name of William Williams and one that of Thomas Hooker. Tomorrow may be a day of joy if comparisons reveal that the signatures are those of the signer of the Declaration of Independence and the early Governor of Connecticut, and if it is found these volumes were a part of their libraries.

## CONSTITUTION AND BY-LAWS OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES

(As Amended to June 30, 1941)

### Constitution

SECTION 1. The name of this Association shall be American Association of Law Libraries.

SECTION 2. The Association is established for educational and scientific purposes. It shall be conducted as a non-profit corporation to promote librarianship, to develop and increase the usefulness of law libraries, to cultivate the science of law librarianship and to foster a spirit of cooperation among the mem-

bers of the profession.

SECTION 3. There shall be five classes of membership—regular, associate, life, honorary and institutional.

SECTION 4. (a) Any person officially connected with a law library, state library, or with a general library having a separately maintained law section, may become a regular member upon payment of the annual dues.

SECTION 4. (b) Any law library may become an institutional member upon the

payment of such dues as are provided in the By-Laws for institutional members. Full time regularly employed members of the staff of an institutional member, not to exceed eight, shall be entitled to regular membership in the Association without the payment of additional dues. The executive committee is empowered to determine whether the institution applying for membership is a law library.

SECTION 5. Persons not connected with law libraries may be elected to associate membership at the discretion of the executive committee.

SECTION 6. (a) The Association may, at any regular meeting, by vote of two-thirds of those present, elect honorary members who shall be exempt from dues.

SECTION 6. (b) The Association may at any regular meeting, by a vote of two-thirds of those present, elect to life membership those who have been members of the Association, but who have retired from active library work. Such members shall be exempt from dues.

SECTION 7. The right of holding office and voting shall be restricted to regular and life members.

SECTION 8. In all matters of business each regular member shall be entitled to one vote.

SECTION 9. The officers shall consist of a president, president-elect, and an executive secretary who shall also act as treasurer, all of whom shall be elected by ballot at the annual meeting. At the end of each year the president, who shall not under any circumstances be eligible for election for a consecutive term, shall be automatically succeeded by the president-elect, provided, however, that in the event of the death or

resignation of the president at any time during his (her) term of office, the president-elect shall immediately become the president and shall serve until the second election of a president-elect thereafter. Except for his (her) duties as a member of the executive committee and as chairman of the advisory committee on planning, as hereinafter provided, the president-elect shall perform only such duties as usually attach to the office of vice-president. In the event of the death or resignation of both the president and the president-elect, the executive committee shall appoint one of its members to act as president until a president and president-elect are duly elected, and in the event of the death or resignation of the executive secretary, the executive committee shall appoint an executive secretary who shall hold office until his (her) successor is elected. The president and president-elect shall serve without compensation and the executive secretary shall receive such compensation as the Association shall provide.

SECTION 10. There shall be an executive committee of seven, consisting of the officers mentioned in section 9, the last retiring president, and three members elected at the annual meeting. Vacancies created through nonacceptance, resignation or death shall be filled by the executive committee. The duties of the officers and of the executive committee shall be those usually assigned to such officers in similar associations.

SECTION 11. In addition to the executive committee there shall be such other standing and special committees as the executive committee may from time to time create. All committee members shall be appointed by the president un-

less the Association shall otherwise direct.

SECTION 12. Chapters of the Association may be created and governed under such conditions and subject to such regulations as may be provided in the By-Laws.

Any local or regional law library association, which does not desire to become a chapter of the American Association of Law Libraries, may, nevertheless, become affiliated with the Association under such conditions as may be provided in the By-Laws, and, in the absence of such conditions, subject to such regulations as the executive committee may establish.

SECTION 13. An annual meeting of the Association shall be held at such time and place as the executive committee shall designate.

SECTION 14. Special meetings may be held at such times and places as the executive committee may elect or the Association direct.

SECTION 15. Any By-Law may be repealed, amended or suspended by a three-fourths vote of those present and voting at any meeting of the Association.

SECTION 16. This Constitution may be amended in the manner herein provided. Notice of any amendment shall be filed with the secretary at last sixty days before a regular meeting of the Association, and notice therefore shall be sent by the secretary to the members of the Association at least thirty days prior to said meeting. Such amendments shall be submitted at an annual meeting of the Association, and any member not present thereat may file his vote thereon with the secretary and the same shall be counted as though he were present and voting. If three-quarters of the votes

of the members present and voting at such meeting, and of the votes filed as above provided, be in favor of such amendment, it shall stand adopted.

SECTION 17.<sup>1</sup> The Association, by affirmative vote of at least two-thirds of the members present at any session of an annual meeting, may determine to make application to become a corporation without shares of stock under the general laws, or by special charter, of any state or of the United States or of the District of Columbia, and in case of such determination, the Association by such vote may authorize the president and the executive committee to have done all acts necessary and appropriate to accomplish such incorporation and when it shall be accomplished, to transfer all of the Association's property interests to such corporation.

### By-Laws

SECTION 1.(a) The annual dues of regular individual members (persons who are heads of law libraries) shall be \$5.00 per year. The dues of library assistants shall be \$3.00 per year. Each member shall receive the *Law Library Journal* as a part of said membership. The year for dues shall begin on June<sup>2</sup> 1st in each and every year, and the Association's fiscal year shall begin on June 1st, in each and every year.

SECTION 1.(b) The annual dues of associate members shall be \$10.00 per year.

SECTION 1.(c) The annual dues of institutional members shall be based upon the number of full time persons em-

<sup>1</sup> Pursuant to Section 17, the American Association of Law Libraries was incorporated under the laws of the District of Columbia, September 21, 1935.

<sup>2</sup> Changed from July 1st to June 1st by action of the Association June 30, 1941.



ployed by such institutional members according to the following scale:

(1) Libraries having one or two full time persons in their employ shall pay \$10.00 per year.

(2) Libraries having more than two full time persons in their employ shall pay annual dues at the rate of \$5.00 for each such person on their staffs, provided, however, that no library shall be required to pay dues in excess of \$40.00 per year in order to enjoy the full privileges of an institutional member.

SECTION 2. Members failing to pay dues after the expiration of one year shall be dropped from membership.

SECTION 3.<sup>3</sup> SECTION 4. Any group consisting of ten or more regular members of the Association, including persons who are regular members by virtue of an institutional membership, residing within the territory in which such chapter is desired, may apply for permission to establish a chapter of the Association by forwarding a petition in writing to the executive secretary at least 60 days before any regular meeting of the Association. The executive committee may, after having made a proper investigation, recommend to the members of the Association that a charter for such a chapter be issued to such members, or if they represent a local or regional organization already in existence, to such organization, provided, however, that no charter for a chapter shall be issued except as hereinafter set forth:

a. The formal name of every such local or regional organization must clearly indicate that it is a chapter of the Association.

<sup>3</sup> Section 3 establishing an advisory committee on planning was repealed by the Association on June 27, 1941.

b. No chapter shall adopt a constitution or by-laws inconsistent with the Constitution and By-Laws of the Association or engage in any activity in conflict with the program of the Association.

c. All dues collected from members of the Association who are also members of a chapter shall be divided between the Association and the chapter according to the following scale:

(1) For each regular member paying annual dues in the sum of \$5.00, the chapter shall receive \$1.00 and the Association shall receive \$4.00.

(2) For each regular member paying annual dues in the sum of \$3.00, the chapter shall receive \$.50 and the Association shall receive \$2.50.

(3) For each institutional member which is also a member of a chapter, the chapter shall receive \$1.00 for every member of the staff who is a member of the Association by virtue of such institutional membership, provided he is also a member of the chapter, and the Association shall receive the remainder.

d. Chapters may accept as local or regional members persons engaged or interested in law library work, who wish to take part in local and regional activities only, and may collect separate dues from such persons, but such local and regional members shall at no time exceed fifty per cent of the membership of such chapter. Such local and regional members shall not be considered members of the American Association of Law Libraries, shall not hold the office of president of the chapter, and shall not have any of the privileges of members of the Association.

**REVISION OF THE A. A. L. L. CONSTITUTION AND BY-LAWS**

Since 1942 a committee has been working on amendments to the Constitution and By-Laws of the Association, and studying the incidental problems relating thereto. No amendments were presented formally to the Association at the Rochester meeting last June, but the report of the Committee on the Revision of the Constitution was accepted and filed and the Committee discharged. Since that time President Price has appointed a new committee to continue the study of the Constitution and By-Laws, and to consider the need for and desirability of making changes in the fundamental instrument of government of the Association.

From the information available, and especially from the discussions at the Rochester meeting, it seems fair to conclude that the members of the Association are divided in their opinions concerning constitutional changes, but it also seems fair to assume that the differences in views are not entirely irreconcilable.

Some amendments are necessary to make minor corrections, and as to these there are no differences of opinion, and none are likely to develop. They will merely eliminate the "dead wood" from the Constitution. All seem to approve the necessary amendments to provide for an annual election of officers by mail ballot during any year when the annual meeting cannot be held. The principal differences, however, center on the provisions relating to the annual election and the election procedure during any year when the annual meeting is held. Three groups have presented their respective positions:

(1) Those who desire to retain the present provisions of the Constitution providing for

an annual election of officers at the annual meeting.

(2) Those who desire to substitute for the present provisions entirely new provisions which will provide for an annual election by mail ballot. The effect of these new provisions would be to discontinue the annual election at the annual meeting, and to provide for an election of officers by mail ballot at some convenient time prior to the annual meeting.

(3) Those who take a position between the two, that is, to retain the present provisions relating to the election of officers at the annual meeting, and to add new provisions which would extend the privilege of voting in the election of officers to those who may find it impossible to attend the annual meeting. The results of the election would therefore be arrived at by combining the votes of those present at and those absent from the annual meeting.

It is the tentative plan of the committee to prepare the different sets of amendments necessary to effectuate the views of these respective groups, and to publish them in the *Law Library Journal* as soon as possible together with some comments and explanatory notes, and perhaps with some of the principal arguments for and against the various proposals.

The committee takes the position that amending the Constitution is serious business, that all members of the Association, as well as the committee, should approach the task of making constitutional changes thoughtfully and dispassionately, and that changes should be made only after a complete exchange of views, and after all members of the Association have had an opportunity to be heard. It is the understanding of the committee that no amendments are to be presented formally to the Association at the next annual meeting and therefore no amendments will be adopted at that time. The plan is to present the amend-

ments informally at the 1946 meeting for discussion and exchange of views, in the light of which final provisions will be drafted and formally proposed for action at the annual meeting in 1947.

What is your position? Do you have suggestions as to amendments or solutions for the problems involved? The

committee will appreciate any assistance which the members of the Association may give. The Constitution and By-Laws have been reprinted in this number of the *Journal* for your convenience.

ALFRED A. MORRISON, *Chairman*  
Committee on Revision  
of the Constitution

### A NOTE ON 3 A TENNESSEE REPORTS

By E. LUCY OGDEN

*Law Librarian University of Tennessee*

A note explaining the nature of 3 A *Tennessee Reports* may be welcomed by those who are puzzled to find it listed in the third edition of Hicks' *Materials and Methods of Legal Research* or offered for sale by second hand book dealers. 3 A Tenn. is in fact a reprint of 158 Tenn. Appendix. Unfortunately, nowhere in the volume is there a clear statement to this effect, nor is it stated by whose authority the reprint was made. Its publication seems to have come about in this way: in 1929 the Supreme Court of Tennessee authorized the reporter to include in the then current volume of the reports (158 Tenn.) an appendix, publishing for the first time material for a second volume left by Judge Cooke (reporter for 3 Tenn.) at his death in 1816. The appendix has a half title and its own pagination. Its text begins with a "Reporter's Note" dated 1929 explaining the circumstances of its publication in this form. In 1940, this Appendix was reprinted as 3 A Tenn., apparently from the same plates as the original, two preliminary pages (Table of Cases) being added, and a "Publisher's Note" dated October 1940

added at the foot of the "Reporter's Note" of 1929, stating that the latter showed reasons for the numbering given to the volume. The title page was changed by the omission of "Appendix" and by the addition of "Volume 3 A. Sold exclusively by Smoky Valley Book Company, Knoxville, Tennessee. E. W. Stephens Publishing Company, Columbia, Missouri." The binder has labeled the volume *Tennessee Reports*, 3 A, Cooke 2, 1814. Only a few hundred copies were printed. The reprint is said to have been made for the benefit of those who have sets of *Tennessee Reports* stopping with volume 83, after which these are included in the *Southwestern Reporter*, and who wish to have them chronologically complete to that point. Tennessee digests, of course, give the 158 Tenn. Apx. citation for the cases included in this volume. I have found no mention of them in the *American Digest*, *Southwestern Reporter* or *Shepard's Tennessee Citations*. It is to be hoped that any citation to 3 A Tenn. that may occur hereafter will be accompanied by its parallel in 158 Tenn. Apx.

**CURRENT COMMENTS****Secretary-Treasurer Resigns**

HELEN NEWMAN, Secretary-Treasurer of the American Association of Law Libraries since 1934, resigned her office November 1. Miss Newman was the first Executive Secretary-Treasurer of the Association. She was also Editor of the *Law Library Journal* from July, 1934 to November, 1942. She was formerly Law Librarian of George Washington University and is now Associate Librarian of the Supreme Court of the United States.

The Executive Committee has appointed Mrs. Helen M. S. Helmle, Law Librarian of the Equitable Life Assurance Society, 393 Seventh Avenue, New York City, to fill the vacancy.

**Druker Leaves State Law Library**

BONI DRUKER, who recently received his honorable discharge from the Army after overseas service, has resigned from his position as State Law Librarian of Iowa. He will remain in Des Moines where he will be associated with the Marks Brothers Real Estate Office. He will continue as Librarian of the Iowa State Bar Association.

**Short Printing of Massachusetts Law Quarterly**

THE MASSACHUSETTS LAW QUARTERLY for May, 1945 was not issued in a sufficiently large printing to supply all of the library copies needed. Anyone who has a copy which he is willing to donate to help complete library files is urged to send it to Mr. Howard L. Stebbins, Librarian, Social Law Library, 1200 Court House, Boston 8, Mass.

**Law Library Association of Greater New York**

THE LAW LIBRARY ASSOCIATION OF GREATER NEW YORK met on June 4 at the New York University Faculty Club. Mr. Simone N. Gazan spoke on "The Lighter Side of the Law: Odd and Amusing Cases."

The following officers were elected for the coming year: Fred Rothman, of New York University, President; Lena Keller, of New York County Lawyers' Association, Vice-President; Virginia Kehoe, of Donovan, Leisure, Newton & Lumbard, Secretary-Treasurer. Mrs. Marjorie Coleman, Alfred Lindsay, Beatrice Schmulling and Carroll Moreland were elected directors.

Mr. Rothman was unable to serve as President, having left the field of active law librarianship to organize a book business. This is located at 372 Bleeker Street, New York City. Miss Keller is, therefore, serving as President.

On October 8, 1945, the first dinner meeting of the year 1945-46 was held at the New York University Faculty Club. Miss Lena Keller discussed reorganization of the Association and re-emphasis on its committee work in a post-war planning program. Mr. Miles O. Price, member of the Association and President of the American Association of Law Libraries, gave a brief address on the value of professional associations and of membership in such organizations.

**Samuel E. Thorne Appointed at Yale**

SAMUEL E. THORNE, recently released from the Navy where he served as

Lieutenant, has been appointed Librarian of the Yale Law School Library and Assistant Professor of law. Mr. Thorne was formerly Librarian of the Northwestern University Law School Library.

#### **Lewis W. Morse Returns to Cornell**

LT. COL. LEWIS W. MORSE, Director of Libraries, Judge Advocate General's Office of the Army, has been released from the Army and has returned to his position as Librarian of the Cornell University Law School. Mrs. Huberta Prince has taken his place at the Judge Advocate General's Office.

#### **Mrs. Smith Appointed State Librarian**

MRS. JOSEPHINE WERNICKE SMITH has been appointed State Librarian of Minnesota, following the death of Mr. Paul Dansingberg on July 30. Other vacancies caused by death or resignation have necessitated a complete change in personnel. Miss Ethel Kommes is now Assistant Librarian and Miss Rachel V. Grover, Cataloger.

#### **Paul Gay Appointed Acting Librarian**

PAUL GAY, Assistant Librarian at the Biddle Law Library, University of Pennsylvania, has been appointed Acting Librarian following Mr. Layton B. Register's retirement. Mr. Gay is a graduate of the Drexel School of Library Science. He has served on the staffs of the Philadelphia Museum of Art, the Library Company of Philadelphia, the Drexel Institute of Technology Library and the Biddle Law Library. He has been active in the Special Libraries Association and other professional groups.

#### **Articles of Interest in Special Libraries**

THE OCTOBER ISSUE of *Special Libraries* contains an article by Erwin T. Reisner, "Research in Industrial Relations" (volume 36, page 285) which refers to materials on collective bargaining, industrial management, labor economics, social problems and other topics of interest in law libraries. The same issue carries an article "Uncle Sam, Publisher" by Hon. A. E. Giegegack, Public Printer of the United States (at page 297).

#### **Resolution of Acknowledgment**

DR. ELDON R. JAMES, Law Librarian of Congress, has received a copy of the following resolution from Robert Riches, Esq., O.B.E., Librarian of the Bar Library in the Royal Courts of Justice in London. The library is maintained by the four Inns of Court, the Inner Temple, the Middle Temple, Lincoln's Inn and Gray's Inn. Dr. James writes that librarians throughout the country were extremely generous in responding to his request for assistance to that library.

At a meeting of the Bar Library Committee at the Royal Courts of Justice, London, held on July 25th 1945:

Resolved. That this Committee desires to place on record its sincere thanks and gratitude to the various states of the United States of America who have so generously presented to this Library through Dr. Eldon James of the Congress Law Library, Washington, D. C. copies of their session laws.

Bernard Campion, K. C.  
(Chairman)



## CHECK LIST OF CURRENT AMERICAN STATE REPORTS, STATUTES\* AND SESSION LAWS

Revised to October 15, 1945†

Publication	Dates of Regular Sessions	Source	Latest Vol. to Appear
<b>ALABAMA</b>			
Reports .....		West Pub. Co. ....	246
App. Reports .....		West Pub. Co. ....	31
Session laws .....	Biennial	Secretary of State .....	1943 Gen. & Loc.
Code, Compilation or Revision		Secretary of State .....	1940 Code A. 10v. with 1943 P. P.
<b>ALASKA</b>			
Reports .....		West Pub. Co. ....	9
Session laws .....	Odd years	Secretary of Territory .....	1945
Code, Compilation or Revision		Auditor of Alaska, Juneau .....	Comp. L. 1933 1v.
<b>ARIZONA</b>			
Reports .....		Bancroft, Whitney & Co. ....	61
Session laws .....	Odd years	Secretary of State .....	1943, 1942 Spec. in 1v.‡
Code, Compilation or Revision		Bobbs-Merrill Co. ....	1939 Code A. 6v. with 1945 P. P.
<b>ARKANSAS</b>			
Reports .....		Secretary of State .....	207
Session laws .....	Odd years	Secretary of State .....	1943
Code, Compilation or Revision		Department of State, Little Rock.....	Pope's Digest 1937 A. 2v.
		Thomas Law Book Co. ....	1944 Cum. A. Supp.
<b>CALIFORNIA</b>			
Reports .....		Bancroft-Whitney & Co. ....	25 (2d)
App. Reports .....		Bancroft-Whitney & Co. ....	66 (2d)
Advance Parts .....		Recorder Prtg. & Pub. Co. ....	Weekly
Session laws .....	Odd years	Secretary of State .....	1944 2 Ex., 1945 in 1v.
Code, Compilation or Revision		Bancroft-Whitney & Co. ....	
		Deering's Codes: Civil Code	Insurance, 1944, 1v.
		1941, 1v.	Labor, 1943, 1v.
		Civil Procedure & Probate,	Military & Veterans,
		1941, 1v.	1943, 1v.
		Constitution, 1930: 1944 Supp.	Public Resources,
		General Laws, 1943, 3v.	1944, 1v.
		Penal, 1941, 1v.	Revenue & Taxation,
		Political, 1943, 1v.	1944, 1v.
		Probate, 1944, 1v.	Streets & Highways,
		Agricultural, 1943, 1v.	1944, 1v.
		Business & Professions, 1943, 1v.	Vehicle, 1943, 1v.
		Education, 1943, 1v.	Water, 1944, 1v.
		Elections, 1944, 1v.	Welfare & Institu-
		Fish & Game, 1943, 1v.	tions, 1944, 1v.
		Harbors & Navigation, 1943, 1v.	
		Health & Safety, 1944, 1v.	

\* In response to suggestions from members of the A.A.L.L., the Editor has revised this Check List to include Statutory Compilations. Because of space limitations only one is listed for each state with the official set listed in preference to unofficial sets. The Editor will be glad to receive additional suggestions from members and subscribers concerning these statutory listings.

† With acknowledgments to the N. A. Phemister Company.

‡ 1944 Extra to appear in 1945 volume.

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† Orders must be placed with N. Y. State Division of the Budget, Albany, N. Y.



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